

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Dwayne Thompson, individually, and on)	
behalf of his minor daughter "RMT" and)	2:16cv1100
Pamela McDeavitt,)	Electronic Filing
)	
Plaintiffs,)	
)	District Judge Cercone
v.)	Magistrate Judge Lenihan
)	
Kathryn M. Hens-Greco; Kimberly Berkeley)	ECF Nos. 142
Clark, Krista Abram; Shane Mock; Jonathan)	
Voelker; Pernille Frankmar; Voelker &)	
Colton, LLC; Lauren Darbouze; Reserve)	
Township Police; Brian Tully; Fred Boory Jr;)	
Pittsburgh Municipal Court; Barbara Clements;)	
Allegheny County; Patrick Quinn; Christopher)	
Connors; Geraldine M. Redic; Claire Capristo;)	
Allegheny County Sheriff's Department;)	
Anthony Fratto; Holly Zemba; Allegheny County)	
Department of Court Records; Allegheny County)	
Office of Children and Youth Services;)	
Bruce Noel; Brynn Alpee; McKeesport Area)	
School District; Fifth Judicial District; and)	
John and Jane Does, 1-10,)	
)	
Defendants.)	

MEMORANDUM ORDER

This civil action was commenced on July 25, 2016, when Plaintiff Dwayne Thompson filed a Motion for Leave to Proceed in Forma Pauperis. (ECF No. 1.) That motion was granted and the Complaint (ECF No. 2) was docketed on July 26, 2016. The case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

On October 24, 2017, the Magistrate Judge entered an Order that Plaintiff, no later than November 14, 2017, file a document with the court indicating whether he intends to proceed

against the unidentified John and Jane Doe Defendants 1-10, and if so, indicating what role they played and what federal rights of Plaintiff they violated. The Magistrate Judge further indicated that if Plaintiff failed to file this document by November 14, 2017, the Magistrate Judge would issue a report and recommendation that the John and Jane Doe Defendants 1-10 be dismissed for failure to prosecute. No such document has been filed by Plaintiff to date.

On November 20, 2017, the Magistrate Judge filed a Report and Recommendation (ECF No. 142) recommending that the John and Jane Doe Defendants 1-10 be dismissed for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Service was made on Plaintiff via first class mail to his address of record, and to all attorneys of record via electronic filing. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that they had fourteen (14) days to file any objections, and that unregistered ECF users were given an additional three (3) days pursuant to Federal Rule of Civil Procedure 6(d). No objections have been filed.

After review of the documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 8th day of December, 2017,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 142) of Magistrate Judge Lenihan, dated November 20, 2017, is adopted as the Opinion of the Court and the John and Jane Doe Defendants 1-10 are **DISMISSED** for failure to prosecute.



David Stewart Cercone
United States District Judge

cc: Dwayne Thompson
1013 Coal Street
Pittsburgh, PA 15221
(Via First Class Mail)

Caroline Liebenguth, Esquire
Dennis J. Roman, Esquire
Charlene S. Seibert, Esquire
Timothy R. Stienstraw, Esquire
Lauren D. Darbouze, Esquire
Ashley N. Rodgers, Esquire
Daniel R. Bentz, Esquire
Benjamin T.S. Trodden, Esquire
Lisa G. Michel, Esquire
Anthony G. Sanchez, Esquire
(Via CM/ECF Electronic Mail)